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Portland State University

Criminology and Criminal Justice Senior Capstone

Prevention of Human Trafficking

A Review of the Literature

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Introduction

A review of the literature pertaining to human trafficking reveals that human trafficking is a difficult crime to detect and prevent. Human trafficking involves the trafficking of human beings for the purpose of commercial sexual activities as well as forced labor. These crimes are occurring worldwide. Research indicates organized crime, prostitution, massage parlors, and brothels are closely linked to the crime of human trafficking. Government corruption and transnational criminal organizations contribute significantly to this crime and financial profit is usually the primary motivation. The objective of this report is to examine the various elements of human trafficking including the recognized definition, the prevalence of human trafficking, the characteristics commonly associated with both victims and offenders, as well as information regarding the *Modus Operandi* (M.O.). Various approaches to preventing the crime of human trafficking will be discussed.

Definitions and Prevalence

Our research of human trafficking resulted in 11 articles, which contain a number of definitions and /or prevalence estimates. The definitions of “human trafficking” include the use of force for the purpose of labor or sex. A major report published by the Anti-Human Trafficking Unit of the United Nations Office on Drugs and Crime (UNODC, 2006) Global Programme against Trafficking of Human Beings (GPAT) specifically defines trafficking in persons as:

The recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force, or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the prostitution of others, or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs (UNODC, 2006, p.50).

The U.S. Department of State, Trafficking in Persons Report (2004) states, “trafficking” includes forced labor, sex trafficking, bonded labor, involuntary servitude, forced child labor, child soldiers, and child sex trafficking (pp.9-11). Wilson and Dalton (2008) clarified the distinction between “trafficking” and “smuggling,” saying “smuggling” involves a transaction between willing parties, while “trafficking” is the attempt to profit from the exploitation of a trafficked person (p.297). Further distinctions are made by the Government Accountability Office (GAO) which states it is not necessary to be physically transported across borders to be considered an exploited victim and that human trafficking violates labor and immigration laws and can include government corruption and organized crime (2006, pp.4-5).

With regard to prevalence, researchers generally agree there is no clear or accurate estimate of the extent of human trafficking. Depending on who is providing the data, the number of

individuals trafficked ranges from hundreds of thousands to millions. In a 2006 government report, it was estimated there were 600,000 to 800,000 people trafficked internationally each year (USDOS, p.5). In 2004, the U.S. Department of State report suggested there were at least 12.3 million adults and children in forced labor, bonded labor, and commercial sexual servitude worldwide at any given time (p.7). The United Nations Office on International Labor Organization (ILO) estimated at least 2.45 million people have been trafficked around the world (Goodey, 2008, p.426).

Reasons for the lack of hard numbers vary. According to the Vera Institute of Justice (2008), the shifting prevalence estimates to methodological issues within existing research on human trafficking and suggest greater attention is needed to ensure increased accuracy of estimates (p.10). Newton, Mulcahy, and Martin (2008) found in large metropolitan areas, which are more likely to experience trafficking in persons than are other parts of the country, so few cases of trafficking are reported that respondents are reluctant to provide generalizations pertaining to the numbers involved (p.vii), for fear of creating misleading statistics.

Another problem in estimating the prevalence of trafficking lies in convincing the public a problem and the seriousness of the phenomenon is not exaggerated. Even among law enforcement officers it is estimated between 73 and 77 percent perceive human trafficking as rare or non-existent (Northeastern University Institute on Race and Justice, 2008, p.3). The same researchers also stated most of the officers holding this view have not taken proactive measures to investigate human trafficking thoroughly (p.5). Along the same lines of inquiry, Newton (2008, p.40) found only 22 percent of U.S. counties have experienced some form of sex trafficking and only 5 percent of those experienced it within the past two years. It is clear more research is needed to obtain accurate and reliable estimates related to the prevalence of human trafficking.

Victims

We reviewed 10 articles in which authors included information relating to characteristics of victims of human trafficking. Obtaining reliable information is proven to be as difficult as finding one agreed-upon definition, as mentioned above in the previous section. Reasons for this are varied. For instance, individuals who might be considered victims of trafficking are already in vulnerable positions and often fear the consequences of explaining their situations to authorities. In addition, the individual who may have been trafficked, likely believes he/she has had some involvement in complying with the directions of the traffickers and may be reluctant to self-identify as a victim or provide relevant information pertaining to offenders (U.S Department of State, 2004, pp.8-9).

Victims of trafficking are often treated as criminals by authorities: After being abducted in their countries of origin they may be arrested, detained, and charged in countries of destination for working illegally, frequently as prostitutes, and for having false documentation. Leman and Janssens (2008) reviewed 62 court cases of human trafficking. They were unable to conclude whether the women involved could be considered “voluntary migrant sex workers” or “victims,” based on their testimonies. They could, however, provide information on the characteristics of the individuals. Most women were seeking new lives; some were seduced and recruited via a

trusting relationship, then sold (some by their families), or kidnapped. In some cases, they were violently victimized and unable to escape. Most women then sought employment abroad through corrupt employment agencies. In many cases they were lured by being promised jobs and were given false promises in the form of high wages. Similar problems in determining victims or volunteers in the sex industry were reported in other research, as victims seldom identify themselves as such, which leaves law enforcement personnel few options for providing assistance (Gallagher & Holmes, 2008, pp.331-332; GAO, 2006, p.8; Mitchell, Jones, Finkelhor, & Wolak, 2011, pp.24-25; Newton, et al, 2008, p.40; Leman & Janssens, 2008, p.434).

Even with the problems in identifying persons who are victims of trafficking, there are still a few things we can say about individuals targeted for this crime. Any person of any age can be a victim, though most are young women. Victims of juvenile prostitution are estimated to be 90% female and ages 14-17. Approximately 82% of victims of internet-facilitated sexual exploitation are female. Of these, 71% were 13-17 years old; and 21% were 6-12 years old. More than half the victims lived in urban areas and had previously run away from home. Almost all were living in poverty prior to their human trafficking experiences. Human trafficking is also linked with immigrants, particularly those who are undocumented (Gallagher and Holmes, 2008 p.322; Logan, Walker and Hunt, 2009, pp.10-11; Mitchell, Finkelhor, & Wolak, 2010, pp.24-26; Macy and Johns, 2011, pp.87-88.).

Other studies examined victims' experiences and found they vary widely. Many victims are illegal migrants from Asia or Africa, brought to work in the UK and transported by unidentified persons. Most of the victims claimed they knew what work they would be doing and were happy to be doing it. Some, however, reported they had been deceived or coerced into the work they were doing. In 27% of cases, victims and offenders were acquaintances and in 26% of cases the victim was related to the offender. Internet exploitation of children cases typically involve teens and younger children lured by adults attempting to exploit their sexual curiosity (Lebov, 2010, p.82; Urbas, 2010, p.411; Mitchell, et al, 2011, p.59).

Offenders

Our study reviewed eight articles pertaining to offender characteristics and factors associated with human trafficking. The articles provided information on offender demographics and motivations from a global perspective. The following information is a synopsis of what we learned.

Not only is human trafficking a difficult crime to detect, it is also challenging to determine who, exactly, the offenders are, as there are likely many people involved from recruiters in the country of origin, to transporters, and the receivers of trafficked humans in the destination country. Individuals involved in crimes of this type include investors, transporters, corrupt public officials, informers, guides, debt collectors, money launderers, and other exploiters (GAO, 2006, pp.20-21).

These are a few common characteristics of perpetrators: They tend to be older than their victims; 29% are in their thirties, and 70% are male. The majority of perpetrators who are specifically involved in sex trafficking (as opposed to other forms of trafficking) are also male (63%).

Nevertheless, the number of females involved in these crimes is increasing (37%), as of 2008. In addition, the race and ethnicity of offenders varies. Hispanics, Asians, and African Americans have all been identified as perpetrators of labor trafficking, while indications are that Hispanics are the most prominent labor trafficking offenders and often have ties to other countries. African Americans and Asians are the most frequently-mentioned racial category for perpetrators of sex trafficking and tend to be local for the most part. In cases of juvenile prostitution, where offenders were classified as third-party exploiters who profit from selling juveniles for sex, they were identified as persons who either support well-organized networks or are small-scale offenders (United Nations Office on Drugs and Crime, 2006, pp.71-72; Northeastern University Institute on Race and Justice, 2008, pp.6-7; Newton, Mulcahey & Martin, 2008, pp.51-54; Mitchell, et al, 2010, p.24).

Statistics are slightly different for offenders of internet-based sexual exploitation of children (CSEC) in the U.S., where offenders have adopted the internet as an instrument to carry out their crimes. Offenders of internet-based CSEC are 99% male; 47% are over 40; and 84% are Non-Hispanic, white. Of this group, 69% are employed and 21% are married (Mitchell, et al, 2011, pp.56-57).

People from Asia, Russia, Africa, Europe (Albania and Italy) who engage in human trafficking work within organized crime operations and are often linked to organized crime throughout the world. The Italian organized crime group, La Cosa Nostra, is one of the most prosperous. The group is able to engage in human trafficking because it is well-connected in high places. State and political corruption have been linked to the success of sex trafficking, as well. For example, Asian and Asian-American organized crime groups are responsible for transitional trafficking of women from Korea to the United States. In similar fashion, organized crime groups from Russia are responsible for supplying and trafficking Russian women into South Korea. Despite extensive research on offender characteristics in human trafficking, it is difficult to provide precise data because of the clandestine nature of the crime (Albanese, 2008, p.3; Parmentier, 2010, p.97; Hughes & Ellerman, 2007, pp.906-908).

Modus Operandi (M.O.)

Our study reviewed six articles pertaining to human trafficking. In analyzing the *M.O.* and behavior of offenders of this crime, it becomes clear there is a consistent pattern on a global perspective. Offenders use “tried and true” methods to lure victims, and then intimidate them to keep them subservient, while they see a variety of opportunities to commit their crimes and relocated frequently to avoid apprehension. Sex traffickers often use women to train and recruit other potential victims, in many cases, having once been victims themselves. Some offenders use violence and abuse to gain control (raping or otherwise physically and psychologically abusing victims). While there is little information on labor trafficking, these offenders’ *M.O.s* are similar to those for sex trafficking cases, where offenders use physical and psychological violence or other fear tactics to keep victims trapped and to take advantage of the victims’ lack of knowledge about alternatives to the situation in which they find themselves (Wilson & Dalton, 2008, p.303; Logan, et al, 2009, p.13).

M.O.s for four stages of human trafficking have been identified. With stage one (recruitment); victims are lured by deception and fraud. Contact between the recruiter and the victim often originated from a personal relationship, where victims are recruited with false promises of legitimate and valid employment opportunities including, but not limited to, housecleaning, acting, waitressing, or working in factories. Stage two (transportation) involves the use of agencies, some of which are corrupt, for travel planning. Documents are forged and/or manipulated to facilitate border crossings. In the transportation stage, victims' legitimate identification documents must be submitted to the traffickers, further disabling them from escaping their situations. During stage three (delivery and marketing), arrangements are made with escort services, employment agencies, or entertainment agencies and organized crime groups for the sex trafficking to commence. In the final stage (exploitation), control, threats, and isolation are employed as means to keep victims subservient. At this stage, they are forced into "slavery" to pay off the debt (payment for travel and travel arrangements) they have incurred. (USDOJ, 2006, pp.8-14; Mitchell, et al, 2011, p.488; Parmentier, 2008, p.97; Lebov, 2010, pp.83-84).

Prevention Strategies

Our study reviewed 12 articles related to strategies to prevent human trafficking, focusing primarily on sex trafficking. Analysis of the articles revealed key areas for the implementation of successful prevention strategies. The areas include changing laws, increasing training for law enforcement, collaborating between agencies, and victim's interacting and cooperating with law enforcement.

Central to the prevention of human trafficking are well-defined laws making such exploitation illegal. Central aspects of good anti-trafficking laws include a broad definition of the concept of coercion; a well-articulated definition of trafficking; a mechanism of care for suspected victims; explicit relief for trafficking victims; specific protection for child victims; and legal access for the victims (U.S. Department of State, 2004, pp.13-16; Newton, et al, 2008, p.76).

Changes in current prostitution laws may assist in the identification of victims. Niemi (2010) emphasized the importance in the wording used in anti-trafficking laws and prostitution laws, suggesting a toughening of current prostitution laws relating to the buyers of sexual services, instead of focusing on prostitution as a commercial transaction. She also suggests identifying children and women as exploited victims, which would recognize the buyer as a part of the exploitation (along with the trafficker). This would carry more serious consequences and, it is hoped, curb the demand for services. Perkins (n.d., p.3) argues anti-trafficking campaigns only increase the exploitation of sex workers and add to the discrimination against them. She suggests decriminalizing sex work and making it a legitimate profession would reduce the exploitation factor greatly by empowering those who choose sex work and highlighting those who do not. Parmentier (2010, p.99) echoed this idea, but warned such legislation could have unintended consequences.

Several researchers contend the creation of anti-trafficking laws and reformation of prostitution laws would only be successful if victims and others at risk for exploitation could be accurately identified and treated no differently than they would treat any other victim of a crime

(Northeastern University Institute on Race and Justice, 2008; Newton, et al., 2008; Perrin, 2010). Along the same line of thinking, Newton further suggests law enforcement personnel protect victims and provide services like those for mental and physical health, as these types of nurturing environments could help convince victims to testify against offenders. Mitchell, et al., (2010, p.33) recommend making community resources such as bystander mobilization, prevention education, safe houses, victim resources, specialist interviewers and investigators available. Harrington (2008) noted victims are often treated as 'innocent' and prostitutes are treated 'guilty,' which creates a barrier in identifying true victims. The barrier arises in the form of victims being fearful law enforcement will treat them as prostitutes and charge them with crimes. Halter (2010) reinforced the idea and suggested an ad campaign to emphasize victim support instead of criminal prosecution for prostitutes.

Another prevention strategy might be increasing the collaboration among law enforcement agencies on a regional, federal, and international level. Human trafficking involves the movement of people between a point of origin and a point of destination, thus involving numerous jurisdictions and requiring the cooperation of multiple police agencies. Newton, et al. (2008, p.77) suggest local law enforcement agencies cooperate with federal authorities in flushing out offenders. Wilson and Dalton (2008, p.307) cite the successful collaboration made by the Toledo Police Department and federal agents to step in to tackle the problem more efficiently and boldly, which has ultimately produced successful results in reducing the incidence of human trafficking in that jurisdiction.

Overall, there are numerous barriers facing law enforcement when designing prevention strategies. The elusive and complicated nature of the crime makes detection difficult and effective steps to prevention unclear. Multiple aspects of the complex social/political/economic situation must be addressed for a prevention strategy to be successful. Through the creation and revision of laws, increased training, collaborative efforts, and victim considerations, human trafficking can be prevented on local and global levels.

Conclusion

Our research into the problem of human trafficking has led us to the conclusion it is vital to clarify the definition and prevalence of trafficking to law enforcement and other agencies that can help identify victims and offenders. This will involve training appropriate authorities in recognition of trafficking, as well as in cooperation and communication among police forces and relevant human service organizations. Better, well-defined laws are also necessary to assist law enforcement agencies in finding traffickers. Keeping in mind the better interests of victims is crucial in helping to prevent trafficking.

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